

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19632 of 2013

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Manoj Kumar Singh Son Of Sri Deep Narayan Singh Resident Of Village -
Akhtiyarpur, P.S. - Mahnar, District - Vaishali

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of Home Affairs, New Delhi
2. Directorate General Border Security Force, 2nd Floor Block No. 10, C.G.O. Complex, Lodi Road, New Delhi - 110003
3. The Dy. Inspector General /Clo D and L For Director General Bsfc, New Delhi - 110003
4. The Inspector General Of Frontier Border Security Force, Gandhi Nagar, Gujrat
5. The Commandant Border Security Force, Sector Head Quarter Gandhi Nagar, Gujrat

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Ojha, Advocate
For the Respondent/s : Mr. Subodh Kumar Jha, Sr.C.G.C.

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT
Date : 11-02-2026

1. The petitioner has filed the instant application for the following relief:

“For issuance of an appropriate Writ, order or direction to quash the order dated 31.10.2012 whereby and whereunder the respondent No.3 has rejected the statutory petition dated 19/7/2012 on 31/10/2012 of the petitioner and further for direction that



petitioner be reinstated in service with all consequential benefits."

2. At the outset, the Learned counsel appearing on behalf of the respondent-Union of India raised a preliminary objection regarding the maintainability of the Writ petition on the ground of lack of territorial jurisdiction. It has been submitted that the petitioner admittedly an employee of BSF was posted at SHQ/Gandhinagar, and the impugned order was passed by the competent authority at Gandhinagar, Gujarat. Therefore, the entire cause of action has arisen within the territorial jurisdiction of the Courts in the State of Gujarat, and consequently, this Court lacks jurisdiction to entertain the present Writ petition.

3. It has further been contended that the petitioner has invoked the jurisdiction of this Court merely on the ground that the dismissal order of appeal was served upon him at his native place in the State of Bihar. According to the Learned counsel for the respondents, mere service



of the order within the territorial jurisdiction of this Court does not confer jurisdiction, as no part of the substantive cause of action has arisen within the State of Bihar.

4. The Learned counsel for the respondents has also drawn the attention of this Court to an order passed by a Coordinate Bench in a similar matter, i.e., **CWJC No. 9289 of 2022 (Sanjay Kumar Singh vs. The Union of India & Ors.)**, decided on 31.01.2026, wherein an identical issue relating to territorial jurisdiction was considered.

5. This Court has heard the Learned counsel for the petitioner as well as Learned counsel for the respondents and has carefully considered the submissions advanced.

6. In view of the aforesaid submissions and keeping in mind the order passed by the Coordinate Bench of this Court, it is evident that the cause of action relating to the petitioner has arisen entirely in the State of Gujarat. Accordingly, this Court is of the considered opinion that the



present Writ petition is not maintainable before this Court for want of territorial jurisdiction.

7. Consequently, the Writ petition stands disposed of, with liberty to the petitioner to avail of the appropriate remedy before the competent court having jurisdiction in the State of Gujarat, within a period of three months from the date of this order.

8. The Writ petition is, accordingly, disposed of with the aforesaid observations and directions.

9. Interlocutory Application, if any, shall stands disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.02.2026
Transmission Date	

